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MEMORANDUM ENDORSED

By ECF:

Honorable Gregory H. Woods
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: Gulati v. Novocure Inc. 23-CV-3308 (GHW)

Dear Your Honor,

My firm, previously represented Plaintiff Seema Gulati (hereinafter “Plaintiff”) in this action. By way of background, the Court granted my application to withdraw as counsel back on March 27, 2025. As part of that application, I advised the Court that Plaintiff and Alex Rissmiller, Esq., Plaintiff’s counsel did not oppose my placing a charging lien on the case, but they would wait until there was a judgment or settlement in this matter to take a position on my firm’s requested fees. *See* Civil Docket Sheet, at Document No. 87-1, at ¶¶ 7 – 8.

This matter was scheduled to commence trial on June 9, 2025 before Your Honor. On June 16, 2025, I checked the civil docket sheet and observed that there was a minute entry indicating that the jury trial had completed on June 13, 2025 and that the plaintiff had been awarded compensatory damages and had been found to be entitled to punitive damages, but the amount of punitive damages was not listed on the public docket sheet. I immediately reached out Mr. Rissmiller in an attempt to resolve the charging lien. Unfortunately, Mr. Rissmiller did not return my calls or emails. After several attempts to find out what the verdict amount and/or settlement was, Mr. Rissmiller finally responded by email that it was confidential and it could not be disclosed to me. Mr. Rissmiller told me that I should file a fee application with the Court.

As the co-counsel agreement that my firm entered into with Rissmiller PLLC entitled my firm to a minimum of 35% of the attorneys' fees in this matter, and Mr. Rissmiller is unwilling to engage in a substantive discussion of the verdict and/or settlement amount so that my firm's charging lien can be determined and satisfied, I am respectfully requesting a pre-motion conference to discuss my anticipated fee application and a referral to United States Magistrate Judge Sarah Cave for a settlement conference. Additionally, I am respectfully requesting that the Court order Plaintiff to disclose to my firm (1) the full verdict including any punitive damages awarded by the Court and/or jury, (2) any settlement amounts agreed to between the parties, and (3) any attorneys' fees and costs agreed to between the Plaintiff and her current counsel, Rissmiller PLLC and Alder Law PC.

Plaintiff thanks the Court for its consideration herein.

Respectfully Submitted,

BRUSTEIN LAW PLLC

/s/ Evan Brustein

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Application granted. The Court will hold a conference to discuss Mr. Brustein's fee application on June 25, 2025 at 4:00 p.m. The conference will be conducted by telephone. The parties are directed to Court's Individual Rules of Practice in Civil Cases, which can be found on the Court's website. Rule 2(C) contains the dial-in information and other relevant instructions for the conference. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 134.

SO ORDERED.

Dated: June 19, 2025
New York, New York


GREGORY H. WOODS
United States District Judge